

15-012605

2015R- 411
RESOLUTION
of the
CITY OF
MINNEAPOLIS

By Goodman

Amending the City Council action of June 27, 1997, establishing Staff Claims Committee with right of appeal to a City Council Claims Committee by rescinding the right of appeal to the City Council Claims Committee.

Whereas, on June 27, 1997, the City Council had under consideration an implementation plan for consolidation of the City's risk management program based on recommendations presented in the November 12, 1996 report by Advanced Risk Management Techniques, Inc.; and

Whereas, on June 27, 1997, the City Council approved changes to the City's claims process, effective January 1, 1998, establishing a Staff Claims Committee comprised of representatives from Risk Management, City Attorney, Police, Fire and Public Works Departments, with one additional representative from other City departments serving on a rotating basis; and

Whereas, after June 27, 1997, claimants continued to have the right to appeal their claims before a City Council Claims Committee; and

Whereas, claimants submit claims for investigation to Risk Management; and

Whereas, after investigation of the claim a recommendation is made by the claims investigator to approve, deny or compromise the claim, subject to the approval of the Staff Claims Committee which reviews all recommendations and may approve, deny, change the recommendations or request further investigation; and

Whereas, the claimant, if not satisfied with the decision by the claims investigator, may request review of the claim by the Staff Claims Committee where the claimant may present evidence, witnesses and argument in support of the claim; and

Whereas, the Staff Claims Committee by a majority vote recommends that the claim be compromised, approved or denied; and

Whereas, Risk Management has evaluated the claims review process of other jurisdictions in the State of Minnesota and found that the City of Minneapolis is the only jurisdiction having a Staff Claims Committee with a right of appeal to a City Council Committee; and

Whereas, claimants currently have an independent right, as provide by law, to pursue their claims in state or federal court; and

Whereas, the Council Claims Committee requires substantial cost and commitment from Council Members and staff; and

Whereas, a decision by the Council Claims Committee does not foreclose a claimant's right to pursue all legal remedies in State or Federal court; and

Whereas, Risk Management and the Staff Claims Committee will continue to report to the Council Claims Committee; and will continue to identify policies, procedures and practices within the City that may reduce potential liability; and

Whereas, the Council Claims Committee will continue to provide direction to Risk Management and the Staff Claims Committee;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That claimants may submit claims to Risk Management for investigation.

Be It Further Resolved that the Staff Claims Committee shall review all recommendations made by claims investigators and may approve, deny, change the recommendations or order additional investigation.

Be It Further Resolved that a claimant may ask for a review of the recommendation of the claims investigator by the Staff Claims Committee.

Be It Further Resolved that the Staff Claims Committee, by a majority vote, shall approve, deny, compromise or order additional investigation of a claim.

Be It Further Resolved that an appeal of the decision of the Staff Claims Committee shall be as provided by law to the appropriate legal venue.

Be It Further Resolved that the Council Claims Committee will not hear or consider appeals of the decisions of the Staff Claims Committee.

Be It Further Resolved that Risk Management and the Staff Claims Committee will periodically report to the Council Claims Committee.

Be It Further Resolved that Risk Management will present to Council Claims Committee policies, procedures and practices within the City that may reduce potential liability.

15-01265

Be It Further Resolved that the Council Claims Committee will continue to provide direction to Risk Management and the Staff Claims Committee.

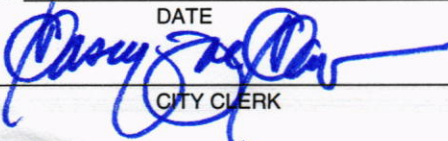
Certified as an official action of the City Council: 

RECORD OF COUNCIL VOTE (X INDICATES VOTE)													
COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN	COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN
Reich	X						Glidden	X					
Gordon	X						Cano	X					
Frey	X						Bender				X		
B Johnson	X						Quincy	X					
Yang	X						A Johnson	X					
Warsame	X						Palmisano	X					
Goodman	X												

ADOPTED **OCT 23 2015**

DATE

ATTEST


CITY CLERK

☒ APPROVED ☐ NOT APPROVED ☐ VETOED

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MAYOR HODGES

RECEIVED OCT 28 2015
RECEIVED OCT 2

DATE